



Education Act 1980

1980 CHAPTER 20

Admission to schools

6 Parental preferences

- (1) Every local education authority shall make arrangements for enabling the parent of a child in the area of the authority to express a preference as to the school at which he wishes education to be provided for his child in the exercise of the authority's functions and to give reasons for his preference.
- (2) Subject to subsection (3) below, it shall be the duty of a local education authority and of the governors of a county or voluntary school to comply with any preference expressed in accordance with the arrangements.
- (3) The duty imposed by subsection (2) above does not apply—
 - (a) if compliance with the preference would prejudice the provision of efficient education or the efficient use of resources;
 - (b) if the preferred school is an aided or special agreement school and compliance with the preference would be incompatible with any arrangements between the governors and the local education authority in respect of the admission of pupils to the school; or
 - (c) if the arrangements for admission to the preferred school are based wholly or partly on selection by reference to ability or aptitude and compliance with the preference would be incompatible with selection under the arrangements.
- (4) Where the arrangements for the admission of pupils to a school maintained by a local education authority provide for applications for admission to be made to, or to a person acting on behalf of, the governors of the school, a parent who makes such an application shall be regarded for the purposes of subsection (2) above as having expressed a preference for that school in accordance with arrangements made under subsection (1) above.
- (5) The duty imposed by subsection (2) above in relation to a preference expressed in accordance with arrangements made under subsection (1) above shall apply also in relation to—

Status: This is the original version (as it was originally enacted).

- (a) any application for the admission to a school maintained by a local education authority of a child who is not in the area of the authority; and
 - (b) any application made as mentioned in section 10(3) or 11(1) below;
- and references in subsection (3) above to a preference and a preferred school shall be construed accordingly.